

115TH CONGRESS  
2D SESSION

# H. R. 887

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IN THE SENATE OF THE UNITED STATES

DECEMBER 13, 2018

Received; read twice and referred to the Committee on the Judiciary

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## AN ACT

To amend the Immigration and Nationality Act to extend honorary citizenship to otherwise qualified noncitizens who enlisted in the Philippines and died while serving on active duty with the United States Armed Forces during certain periods of hostilities, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
 2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. GRANTING OF POSTHUMOUS CITIZENSHIP TO**  
 4                       **OTHERWISE QUALIFIED NONCITIZENS WHO**  
 5                       **ENLISTED IN THE PHILIPPINES.**

6       (a) IN GENERAL.—Section 329A(b) of the Immigra-  
 7       tion and Nationality Act (8 U.S.C. 1440–1(b)) is amended  
 8       to read as follows:

9       “(b) NONCITIZENS ELIGIBLE FOR POSTHUMOUS  
 10       CITIZENSHIP.—

11               “(1) IN GENERAL.—A person referred to in  
 12       subsection (a) is a person who, while an alien or a  
 13       noncitizen national of the United States—

14                       “(A) served honorably in an active-duty  
 15                       status in the military, air, or naval forces of the  
 16                       United States during any period described in  
 17                       the first sentence of section 329(a);

18                       “(B) died as a result of injury or disease  
 19                       incurred in or aggravated by that service; and

20                       “(C) either—

21                               “(i) satisfied the requirements of  
 22                               clause (1) or (2) of the first sentence of  
 23                               section 329(a); or

24                               “(ii) enlisted, reenlisted, extended en-  
 25                               listment, or was inducted in the Phil-

1                   ippines and died during the period begin-  
2                   ning September 1, 1939, and ending De-  
3                   cember 31, 1946.

4                   “(2) DETERMINATION OF SATISFACTION OF RE-  
5                   QUIREMENTS.—The executive department under  
6                   which a person described in paragraph (1) served  
7                   shall determine whether the person satisfied the re-  
8                   quirements of subparagraphs (A), (B), and (C)(ii) of  
9                   paragraph (1).

10                  “(3) POSTHUMOUS BENEFITS.—In the case of a  
11                  person to which paragraph (1)(C)(ii) applies—

12                         “(A) section 319(d) shall not apply; and

13                         “(B) section 1703 of the National Defense  
14                   Authorization Act for Fiscal Year 2004 (Public  
15                   Law 108–136; 117 Stat. 1693; 8 U.S.C. 1151  
16                   note) shall not apply.”.

17                  (b)           CONFORMING           AMENDMENTS.—Section  
18                  329A(c)(2) of the Immigration and Nationality Act (8  
19                  U.S.C. 1440–1(c)(2)) is amended—

20                         (1) in subparagraph (A)(i), by inserting “(or, in  
21                   the case of an individual to which clause (ii) of sub-  
22                   section (b)(1)(C) applies, the date of the enactment  
23                   of such clause (ii))” after “the date of enactment of  
24                   this section”;

1           (2) by striking subparagraph (B) and inserting  
2           the following new subparagraph:

3                   “(B) the request is accompanied by a duly  
4           authenticated certificate from the executive de-  
5           partment under which the person served which  
6           states that the person satisfied the require-  
7           ments of—

8                           “(i) subparagraphs (A) and (B) of  
9                   subsection (b)(1); and

10                           “(ii) if applicable, subparagraph  
11                   (C)(ii) of subsection (b)(1); and”; and

12           (3) in subparagraph (C), by striking “of sub-  
13           section (b)(3)” and inserting “of subsection  
14           (b)(1)(C)(i)”.

Passed the House of Representatives December 12,  
2018.

Attest:

KAREN L. HAAS,

*Clerk.*